



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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DATE MAILED: September 5, 2002  
PAPER NO. 23

WOOD, HERRON & EVANS L.L.P.  
2700 CAREW TOWER  
CINCINNATI, OH 45202

In re Application of : Brian J. Roberts  
Application of : 09/385336  
Filed: : 08/30/99  
Attorney Docket No. : INLO-33A

**RESPONSE TO REQUEST  
FOR REFUND IS DENIED**

This is in response to your letter submitted on June 24, 2002,.  
Wherein you requested an refund of \$303.00

After thorough inspection of U.S. Patent and Trademark Office  
physical records and Revenue Accounting Management financial records,  
it is determined that you are not entitled to a refund of \$303.00.  
However, applicant is due a **refund in the amount of \$42.00.**

Applicant indicated in his request for refund that the reason for  
requesting \$303.00 was in his response filed August 4, 2000  
Applicant elected Group V, namely claims 1,2, 7, 8, 27 and 29.  
although applicant did elect Group V, neither applicant nor the  
examiner cancelled the remaining claims. Applicant is advised to  
review examiner's office action dated September 26, 2000, wherein the  
examiner indicated that claims 1-34 are pending. Therefore the said  
application contained 46 claims with 10 independent claims.

Please note the attached forms: PTO-2022 (Claims Only Sheet) & PTO-  
875 (Patent Application Fee Determination Record).

Telephone inquiries concerning this matter may be directed to Marilyn  
S. Watts (703)308-1730

Marilyn Watts  
Supervisory Legal Instrument Examiner  
Group 3700

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2000

Application or Docket Number

09/385336

## CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	44 minus 20 =	
INDEPENDENT CLAIMS	13 minus 3 =	2
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	355.00
X\$ 9=	
X40=	84
+135=	
TOTAL	

RATE	FEE
BASIC FEE	710.00
X\$18=	
X80=	
+270=	
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**
	Independent	*	Minus	***
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 9=	
X40=	
+135=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X80=	
+270=	
TOTAL ADDIT. FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**
	Independent	*	Minus	***
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 9=	
X40=	
+135=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X80=	
+270=	
TOTAL ADDIT. FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**
	Independent	*	Minus	***
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 9=	
X40=	
+135=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X80=	
+270=	
TOTAL ADDIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.